vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.5075 OF 2006
IN
FIRST APPEAL (ST.) NO.22954 OF 2005

The Special Land Acquisition Officer & Anr. ... Applicants

V/s.

Ramchandra Shankar Yadav ... Respondent

Mrs.G.Mulekar, AGP, for Applicants
Mr.P.H. Potnis for Respondent

CORAM: **S.B. MHASE &**
SMT.NISHITA MHATRE, JJ.

DATED: **FEBRUARY 28, 2007**

P.C.:

. Heard.

2. This is an application for condonation of delay of 64 days in filing the Appeal. The other side vehemently opposes the delay condonation. However, we find that the delay has properly been explained. We also find that the applicant is the Government and because of several lethargic acts of the persons in the Government machinery, such delays are caused. Ultimately, if the delay is not condoned, the Government suffers and not the concerned clerk or the Officer. Therefore, we are in favour of condoning the delay on payment of costs of Rs.1000/-. If the Government

desires, the Government may make an enquiry and recover the said costs from the appropriate person who is responsible for causing the delay. The costs shall be deposited with the Maharashtra State Legal Services Authority.

(NISHITA MHATRE, J.) (S.B. MHASE, J.)